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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No.	CV 15-01041 BRO (AJWx)	Date	February 18, 2015
Title	CALICRAFT DISTRIBUTORS, LLC ET AL. V. HEATHER CASTRO ET AL.		

Present: The Honorable		BEVERLY REID O’CONNELL, United States District Judge	
Renee A. Fisher	Not Present	N/A	
Deputy Clerk	Court Reporter	Tape No.	
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
Not Present		Not Present	

Proceedings: (IN CHAMBERS)

ORDER TO SHOW CAUSE RE: SUBJECT MATTER JURISDICTION

Plaintiffs Calicraft Distributors, LLC, Amy Barr, and Christopher Walter Barr (collectively, “Plaintiffs”) initiated this action in the Superior Court of California, County of Los Angeles. (Dkt. No. 1, Ex. A.) On February 12, 2015, Defendants Heather Castro and Jean-Philippe Castro (collectively, “Defendants”) filed a Notice of Removal. The Notice invokes this Court’s subject matter jurisdiction under 28 U.S.C. § 1331.

A federal court must determine its own jurisdiction even if there is no objection to it. *Rains v. Criterion Sys., Inc.*, 80 F.3d 339, 342 (9th Cir. 1996). The removal statute is “strictly construe[d] . . . against removal jurisdiction,” and the removing party “always has the burden of establishing that removal was proper.” *Gaus v. Miles, Inc.*, 980 F.2d 564, 566 (9th Cir. 1992). “Federal jurisdiction must be rejected if there is any doubt as to the right of removal in the first instance.” *Id.* Jurisdiction must be determined from the face of the complaint. *Caterpillar, Inc. v. Williams*, 482 U.S. 386, 392 (1987).

Under 28 U.S.C. § 1331, federal courts have jurisdiction over “all civil actions arising under the Constitution, laws, or treaties of the United States.” 28 U.S.C. § 1331. A case “arises under” federal law if the plaintiff’s “well-pleaded complaint establishes either that federal law creates the cause of action” or that the plaintiff’s “right to relief under state law requires resolution of a substantial question of federal law in dispute between the parties.” *Franchise Tax Bd. v. Constr. Laborers Vacation Trust for S. Cal.*, 463 U.S. 1, 13 (1983).

In this case, Plaintiffs have alleged state law claims for extortion, intentional and negligent interference with prospective economic advantage, conversion, accounting,

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injunctive relief, defamation, breach of contract, declaratory relief, breach of fiduciary duty, fraud, and deceit. (Dkt. No. 1, Ex. A.) From the face of the Complaint, it is clear that federal law does not create these causes of action. And Defendants' Notice of Removal does not demonstrate how Plaintiffs' right to relief will require the resolution of a substantial, disputed federal issue.¹

Accordingly, Defendants are **ORDERED TO SHOW CAUSE** as to why this case should not be remanded for lack of subject matter jurisdiction. Defendants' response to this Order shall be filed **no later than Friday, February 20, 2015, at 4:00 p.m.** The failure to file an appropriate and timely response may result in this matter's remand to the Superior Court of California, County of Los Angeles.

IT IS SO ORDERED.

Initials of Preparer

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¹ Defendants Notice does not address subject matter jurisdiction based upon diversity of citizenship. 28 U.S.C. § 1332.